

Exhibit A

Preliminary Recommended Claim Construction¹*Finalrod IP, LLC et al v. John Crane, Inc. et al*

7:15-cv-00097-DC

Summary of Claim Construction Briefing Submitted by the Parties:

-Related to the 9,045,951 Patent (“the ’951 Patent”) & 9,181,757 Patent (“the ’757 Patent”): **Dkt. Nos. 88, 93, & 99.**

-Related to the 6,193,431 Patent (“the ’431 Patent”): **Dkt. Nos. 89, 94, & 98.**

Summary of Agreed Terms Identified by the Parties:

-Identified in the Supplemental Joint Claim Construction and Prehearing Statement: **Dkt. Nos. 87-1 through 87-3.**

Level of Ordinary Skill in the Art – For the Purpose of Claim Construction

A person of ordinary skill in the art for the subject matter of the ’431, ’951, and ’757 Patents would have had a Bachelor’s Degree in Mechanical Engineering, Petroleum Engineering, or the equivalent, plus and at least four years of experience in the design, development, testing, and use of fiberglass sucker rods and end fittings, or other equivalent combined education and experience.

Disputed Terms in the ’951 Patent

<u>Disputed Term</u>	<u>Claims</u>	<u>Recommended Construction</u>
“such that”	7, 14, 15, 21	<p>“causes or creates”</p> <p>Rejecting the argument that the Patent Owner disclaimed other dimensional features of the wedge from contributing to the compressive load.</p>
“define a [first/second/third] distribution of force in the [outer/intermediate/inner] wedge portion”	7, 21	<p>“provide a [first/second/third] distribution of force in the [outer/intermediate/inner] wedge portion”</p> <p>Rejecting the argument that something other than the wedge shape configuration (<i>i.e.</i>, the leading edge, trailing edge, and angle between the leading edge and trailing edge of each wedge portion) determines the stress or compressive forces applied to that particular wedge portion.</p>

¹ These preliminary recommended constructions are only meant to indicate where the Special Master stands after considering the claim construction briefing. The Special Master may change his recommendation based upon the parties’ arguments.

“define a [first/second] distribution of force in the [first/second] wedge portion”	14	<p>“provide a [first/second] distribution of force in the [first/second] wedge portion”</p> <p>Rejecting the argument that something other than the wedge shape configuration (<i>i.e.</i>, the leading edge, trailing edge, and angle between the leading edge and trailing edge of each wedge portion) determines the stress or compressive forces applied to that particular wedge portion.</p>
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Disputed Terms in the '757 Patent

<u>Disputed Term</u>	<u>Claims</u>	<u>Recommended Construction</u>
“trailing edge”	7, 8, 14, 15, 17, 21, 22, 35, 47	<p>“edge of the wedge shaped portion extending from and between the apogee and the perigee, ending in a clear transition point at the apogee”</p> <p>The Patent Owner disclaimed asymptotic transition surfaces between the wedge shaped portions.</p>
“of equal dimension”	1, 15	“having essentially the same dimension for each wedge shaped portion”
“a force differential along the wedge system”	1, 15, 32, 49, 77	“a force transfer continuum that focuses compressive forces on each wedge shaped portion of the wedge system”
“such that”	1, 15, 32, 49, 77	“causes or creates”
“apex”	35	“narrowest part of the cavity associated with each wedge shaped portion”
[the leading edge lengths increase progressively toward the open end] thereby compensating for the compression of the sucker rod in the end fitting	7, 15, 32, 49, 77	Plain and ordinary meaning.

“[the trailing edge lengths increase progressively toward the open end] thereby compensating for the back pressure associated with the sucker rod in the end fitting”	7, 15, 77	Plain and ordinary meaning.
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Disputed Terms in the '431 Patent

<u>Disputed Term</u>	<u>Claims</u>	<u>Recommended Construction</u>
“approaching the rod asymptotically”	1, 3, 5, 6, 7, 10, 27, 28	“approaching the rod such that the transition surface will not intersect with the rod regardless of any extrapolation of the transition surface”
“first section converging axially inward and away from said rod”	27, 28	“first section of the interior wall that converges away from the rod in the direction of the closed end”
“second section converging outward toward said rod”	27, 28	“second section of the interior wall that converges toward the rod in the direction of the closed end”
“separate transition surface between each pair of adjacent annuli”	1, 2, 3, 4, 5, 6, 7, 10	“transition surface” means “surface that starts at the thick portion of the annulus and extends to the thin portion of the annulus.” Plain and ordinary meaning for remaining portion of the phrase.
“transition surface between said closed end and the maximum diameter of the annulus”	2, 4	“transition surface” means “surface that starts at the thick portion of the annulus and extends to the thin portion of the annulus.” Plain and ordinary meaning for remaining portion of the phrase.
“particular transition surface between said closed end and the maximum diameter of the annulus”	5, 6, 7, 10	“transition surface” means “surface that starts at the thick portion of the annulus and extends to the thin portion of the annulus.” Plain and ordinary meaning for remaining portion of the phrase.